

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CARL DENNIS YOUNG

PLAINTIFF

V.

NO. 4:14-CV-109-DMB-JMV

JAMES SIMONIAN, ET AL.

DEFENDANTS

ORDER DENYING MOTION

Before the Court is Plaintiff's motion [28] for reconsideration of the Court's October 23, 2014, memorandum opinion and final judgment dismissing the instant case for failure to state a claim upon which relief could be granted. The Court interprets the motion, using the liberal standard for *pro se* litigants set forth in *Haines v. Kerner*, 404 U.S. 519 (1972), as a motion to amend judgment under Fed. R. Civ. P. 59(e). An order granting relief under Rule 59(e) is appropriate: (1) when there has been an intervening change in the controlling law; (2) where the movant presents newly discovered evidence that was previously unavailable; or (3) to correct a manifest error of law or fact. *Schiller v. Physicians Res. Grp. Inc.*, 342 F.3d 563, 567 (5th Cir. 2003). The instant motion is simply a restatement of the claims the Court has already rejected. Thus, Plaintiff has neither asserted nor proven any of the justifications to amend a judgment under Fed. R. Civ. P. 59(e). As such, Plaintiff's motion [28] for reconsideration is **DENIED**.

SO ORDERED, this 30th day of March, 2015.

/s/ Debra M. Brown
UNITED STATES DISTRICT JUDGE